

## **REGULAR MEETING**

**February 12, 1996**

The Regular Meeting of the Annapolis City Council was held on February 12, 1996 in the Council Chamber. Mayor Hopkins called the meeting to order at 7:30 p.m. Alderman Turner offered the invocation followed by the Pledge of Allegiance.

Present on Roll Call: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Turner, DeGraff, Moyer

Alderman Snowden arrived at 7:35 p.m.

Staff Present: City Attorney Goetzke, Public Works Director Patmore

Alderman Snowden moved to approve the Minutes of November 27, 1995, January 3, 1996 and January 22, 1996. Seconded. CARRIED on voice vote.

Alderman Snowden moved to open the Closed Minutes of November 27, 1995 and January 3, 1996 to the public. Seconded. CARRIED on voice vote.

## **PETITIONS, REPORTS AND COMMUNICATIONS**

1. Donna Ware, Chair  
Historic District Commission

Spoke in support of Ordinance O-12-96.

## **SPECIAL ORDER OF BUSINESS - ANNEXATION**

### **For Introduction Purposes Only**

- R-7-96** For the purpose of annexing certain property lying on Bay Ridge Road at its intersection with Edgewood Road, contiguous to the existing boundary of the City of Annapolis.

Alderman DeGraff moved that the applicants work with the Public Works and Planning and Zoning Departments to provide the necessary studies for proper consideration of this petition. Seconded. CARRIED on voice vote.

## **ACTION ON APPLICATIONS AND APPEALS**

- R-56-94** Petition of G.W. Koch Associates, Gerta H. Munz and Eva Purdy, to consider the annexation to the City of Annapolis of a parcel of ground containing 33.597 acres, more or less, lying on or near Harness Creek View Road, contiguous to the present boundary line of the City, as that boundary line now exists.

Alderman DeGraff moved to substitute R-56-94 Revised for R-56-94. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt R-56-94. Seconded.

Alderman Snowden moved to amend R-56-94 as follows:

**Amendment No. 1**

On Page 8, strike the last "AND BE IT FURTHER RESOLVED" paragraph and substitute the following:

**AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that this Resolution shall not become effective until the forty-fifth day following the date that City public sewer shall become available to the Property, in a manner approved by the City Council, either through the community known as Hunt Meadows or through an alternative means selected by Petitioners, provided no Petition for Referendum has been properly filed by law, and that if public sewer is not available to the Property within twenty-four months from the date on which this Resolution is adopted, then this Resolution shall be void and of no effect. Petitioners shall demonstrate that it has satisfied this condition by filing an affidavit with the City Clerk approved as to legal form and content by the City Attorney. Once so approved, the affidavit shall be attached to this Resolution.

Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt R-56-94 Revised as amended. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff, Moyer  
CARRIED: 9-0

## LEGISLATIVE ACTION

### ORDINANCES

There being no voiced objection, the order of the Agenda was amended.

**O-64-95** For the purpose of authorizing the 1996 Spring Boat Show and Waterfront Festival Agreement which Agreement includes a provisions to lease to International Boat Shows, Inc., body corporate, certain municipal parking areas on Compromise Street between the Fleet Reserve Club and Fawcetts Boat Supply and the Donnor lot and Susan Campbell Park on the City Dock, for a certain period of time, subject to certain terms, provisions, and conditions, for the purpose of conducting said Spring Boat Show and Waterfront Festival; and all matters relating to said lease.

The Finance Committee reported favorably with amendments on O-64-95.

Alderman Snowden moved to adopt O-64-95 on second reading. Seconded.

Alderman Snowden moved to amend O-64-95 as follows:

#### **Amendment No. 1**

On Page 1 of the Agreement, line 23, strike "refuse removal,".

#### **Amendment No. 2**

On Page 3 of the Agreement, line 23, strike "proceeding" and substitute "preceding"; on that same page, line 24, immediately following "Police Chief" add "and Public Works Director"; on that same page, line 25, strike "association" and substitute "associated".

#### **Amendment No. 3**

On Page 3 of the Agreement, line 27, strike "Police Department" and substitute "Department of Parking and Transportation".

**Amendment No. 4**

On Page 3 of the Agreement, line 34, immediately following "Police Department" add "and Department of Parking and Transportation".

Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-64-95 as amended on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-64-95 as amended on third reading. Seconded. CARRIED on voice vote.

The regular order of the Agenda was resumed.

**O-101-94** For the purpose of defining the term "trailer"; creating a permit for boat trailers owned by city residents to park at launching facilities; increasing the fine imposed for illegally parking a trailer; and all matters relating to said trailers.

Alderman Johnson moved to substitute O-101-94 Revised for O-101-94. Seconded. CARRIED on voice vote.

The Rules and City Government and Finance Committees reported favorably on O-101-94 Revised.

Alderman Johnson moved to adopt O-101-94 Revised on second reading. Seconded. CARRIED on voice vote.

Alderman Johnson moved to adopt O-101-94 Revised on third reading. Seconded. CARRIED on voice vote.

**O-49-95** For the purpose of establishing that the planning and zoning director, deputy director, assistant director or staff member shall be responsible for the enforcement of Title 21; and all matters relating to said duties.

The Rules Committee reported favorably on O-49-95.

Alderman Snowden moved to adopt O-49-95 on second reading. Seconded.

Alderman Tullier moved to amend O-49-95 as follows:

**Amendment No. 1**

On Page 2, line 3, immediately following "member" add "as designated by the director"; and on that same page, line 22, immediately following "MEMBER" add "AS DESIGNATED BY THE DIRECTOR".

Seconded. CARRIED on voice vote.

The main motion, as amended, CARRIED on voice vote.

Alderman Snowden moved to adopt O-49-95 as amended on third reading. Seconded. CARRIED on voice vote.

**O-50-95** For the purpose of establishing that certain specified violations of Title 21 shall constitute a municipal infraction; and all matters relating to said municipal infraction.

The Rules and City Government Committee reported favorably on O-50-95.

Alderman Snowden moved to adopt O-50-95 on second reading. Seconded. CARRIED on voice vote.

Alderman Johnson moved to adopt O-50-95 on third reading. Seconded. CARRIED on voice vote.

- O-55-95** For the purpose of adopting the NFPA standards 54 ANSIZ 223.1 1992 Edition National Fuel Gas Code with amendments; and all matters relating to said Gas Code.

The Economic Matters Committee reported favorably on O-55-95.

Alderman Snowden moved to adopt O-55-95 on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-55-95 on third reading. Seconded. CARRIED on voice vote.

- O-56-95** For the purpose of adopting the NFPA70 National Electrical Code (1993 Edition) with amendments; adopting the National Electric Safety Code (1993 Edition); and all matters relating to said Electrical Code.

The Economic Matters Committee reported favorably on O-56-95.

Alderman Snowden moved to adopt O-56-95 on second reading. Seconded.

Alderman Turner moved to amend O-56-95 as follows:

**Amendment No. 1**

On page 3, line 32, strike "ONE HUNDRED FIVE" and substitute "eighty-five"; and on line 36, strike "ONE HUNDRED TWELVE" and substitute "eighty-five"; and on page 5, line 8, strike "FIFTY" and substitute "twenty-five"; and on line 12, strike "EIGHTY-FIVE" and substitute "sixty"; and on line 15, strike "TWO HUNDRED FIFTEEN" and substitute "ninety"; and on line 18, strike "TWO HUNDRED FIFTEEN" and substitute "ninety"; and on line 21, strike "SIXTY-FIVE" and substitute "forty"; and on line 29, strike "FIFTY" and substitute "twenty-five"; and on line 31, strike "SEVENTY-FIVE" and substitute "fifty"; and on line 35, strike "FORTY" and substitute "twenty"; and on page 6, line 5, strike "FORTY" and substitute "fifteen"; and on line 7, strike "FIFTY" and substitute "twenty-five"; and on line 9, strike "FIFTY" and substitute "twenty-five"; and on line 11, strike "FIFTY-FIVE" and substitute "thirty"; and on line 17, strike "FIFTY" and substitute "twenty-five".

Seconded. A ROLL CALL vote was taken:

YEAS: Aldermen Johnson, Gilmer, Turner, DeGraff, Moyer  
NAYS: Mayor Hopkins, Aldermen Hammond, Tullier, Snowden  
CARRIED: 5-4

Alderman Snowden moved to adopt O-56-95 as amended on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-56-95 as amended on third reading. Seconded. CARRIED on voice vote.

- O-2-96** For the purpose of changing the use of the proceeds of the Public Improvement and Refunding Bonds of 1994 dated March 15, 1994 issued by

the Mayor and City Council of the City of Annapolis; and all matters relating to said use.

The Finance Committee reported favorably on O-2-96.

Alderman Snowden moved to adopt O-2-96 on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-2-96 on third reading. Seconded. CARRIED on voice vote.

- O-3-96** For the purpose of changing the use of the proceeds of the Public Improvement Bonds of 1995 dated April 1, 1995 issued by the Mayor and City Council of the City of Annapolis; and all matters relating to said use.

The Finance Committee reported favorably on O-3-96.

Alderman Snowden moved to adopt O-3-96 on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-3-96 on third reading. Seconded. CARRIED on voice vote.

- O-4-96** For the purpose of repealing and re-enacting in its entirety, Chapter 21.94; re-establishing the mixed use district with certain modifications and clarifications; and all matters relating to said district.

Alderman Snowden moved to adopt O-4-96 on first reading. Seconded. CARRIED on voice vote.

Referred to the Planning Commission and the Rules and City Government Committee.

- O-10-96** For the purpose of authorizing the City Council to lease certain municipal property located in the general harbor and Dock Street area to United States Yacht Shows, Inc. and Annapolis Boat Shows, Inc., bodies corporate, for a certain period of time in October 2000, subject to certain terms, provisions, and conditions, for the purpose of conducting boat shows; and all matters relating to said lease.

Alderman Turner moved to adopt O-10-96 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

- O-11-96** For the purpose of amending the configuration of the Annapolis harbor line outboard of 7428 Bluff Lane, "The Bluffs Condominiums", and 7416 Edgewood Road on Back Creek; and all matters relating to said harbor line.

Alderman Turner moved to adopt O-11-96 on first reading. Seconded. CARRIED on voice vote.

Referred to the Environmental Matters Committee and Port Wardens.

- O-12-96** For the purpose of revising Chapter 21.62, Historic District, to include certain revisions authorized by the 1995 amendments to Article 66B, Section 8.01, et. seq. ; and all matters relating to said chapter.

Alderman Turner moved to adopt O-12-96 on first reading. Seconded. CARRIED

on voice vote.

Referred to the Planning Commission and the Rules and City Government Committee.

- O-13-96** For the purpose of authorizing the lease of certain municipal property located at the City Dock to Chesapeake Bay Foundation, Inc., for calendar year 1996, for the purpose of docking and mooring the vessel known as "Stanley Norman"; and all matters relating to said lease.

Alderman Snowden moved to adopt O-13-96 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

- O-14-96** For the purpose of authorizing the lease of certain municipal property located at the City Dock to Harbor Cruises, Ltd., for a certain period of time, at a certain rental and under certain terms and conditions, for the purpose of docking and mooring certain boats; and all matters relating to said lease.

Alderman Snowden moved to adopt O-14-96 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

- O-15-96** For the purpose of establishing that no committee shall have more than three aldermen as members; and all matters relating to said committee membership.

Alderman Gilmer moved to adopt O-15-96 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

- O-16-95** For the purpose of establishing that watercraft docked at City-owned berths at certain times shall pay daily rates or failing such payment may be cited for violations of certain City Code provisions; and all matters relating to said rentals.

Alderman Turner moved to adopt O-16-96 on first reading. Seconded. CARRIED on voice vote.

Referred to the Environmental Matters Committee.

- O-17-96** For the purpose of establishing that a person may not deposit snow on a City street; increasing the fine for violations of said provisions; and all matters relating to said snow removal.

Alderman Turner moved to adopt O-17-96 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee.

## **RESOLUTIONS**

- R-6-96** For the purpose of requesting that the Mayor direct the Director of Public Works investigate a methodology by which certain private streets may be brought under City maintenance and snow removal jurisdiction; and all

matters relating to said investigation.

Alderman Turner moved to adopt R-6-96. Seconded. CARRIED on voice vote.

## **BUSINESS AND MISCELLANEOUS**

1. Water and Sewer Service Agreement - Annapolis Business Plaza Condominium

Withdrawn at the request of the applicant.

2. Housing and Community Development Committee Minutes of 1/31/96

Alderman Turner moved to adopt the Housing and Community Development Committee Minutes of 1/31/96. Seconded. CARRIED on voice vote.

3. Finance Committee Minutes of 2/1/96

Alderman Snowden moved to adopt the Finance Committee Minutes of 2/1/96. Seconded. CARRIED on voice vote.

4. Budget Revision Request CT-12-96

Alderman Snowden moved to approve Budget Revision Request CT-12-96. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Gilmer, Tullier, Snowden, DeGraff, Moyer  
NAYS: Aldermen Hammond, Johnson, Turner  
CARRIED: 6-3

5. Payment of Monthly Bills

Alderman Snowden moved to pay the monthly bills. Seconded. CARRIED on voice vote.

6. Maryland Municipal League Report

Alderman Moyer gave a brief report.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:20 p.m.

**Patricia L. Bembe, CMC/AAE  
City Clerk**